

REMARKS

By the present amendment, Claims 1-28 remain pending in the application. The present amendment amends independent claims 1, 7, 13, and 21, and dependent claims 2, 5, 8, 11, 14, and 22, to clarify the scope of the claimed invention. The cited references do not teach or suggest the Applicants' amended claimed invention. Consideration of the amended claims in view of the accompanying remarks is respectfully requested.

Claim Objections

The Office Action objects to minor draft errors in claims 2, 8, and 14, where a comma was missing between "*debit card payment*" and "*credit card payment*". This objection is now moot since these elements have been amended to the corresponding independent claims.

The Office Action further objects to claims 5 and 11. Claims 5 and 11 have been amended by the present response to clarify the element as, "*a defined period of time*".

The Office Action objections are believed to be traversed by the present response.

Claim Rejections Under 35 U.S.C. § 102

The non-final Office Action rejects claims 1-12 under 35 U.S.C. § 102(e) as being anticipated by Strayer et al., US 2004/0054622 A1, (hereinafter "*Strayer*"). Independent claims 1 and 7 have been amended by the present amendment to clarify that the claimed invention of independent claims 1 and 7 includes the element: "wherein the plurality of payment types comprise at least check payments, debit card payments, and credit card payments". Since *Strayer* does not disclose or teach each and every element of the Applicants' claimed invention, in particular, wherein the plurality of payment types comprise at least check payments, debit card payments, and credit card payments; the Applicants assert that the claims are distinguishable from the cited reference.

These amendments are fully supported by the Applicants' specification. For example, paragraphs [0009], [0016, and [0074], state in part:

“[0009] A system and method is provided that enables the processing of a plurality of electronic payment transaction types by a system or group of systems that are in communication with one another. These payment types include conventional debit card transactions, credit card transactions, electronic checking transactions, stored value card payments, loyalty points redemptions, and electronic benefits transfers.”

“[0016] The invention is directed to a method and system for processing financial transactions, and more particularly to a system and method for processing electronic payments, such as credit card, debit card and electronic check payments, stored value cards (e.g., gift cards, employee cards, pre-paid cards, merchandise return cards and electronic gift certificates), loyalty points redemptions (e.g., frequent flier mile programs), electronic benefits transfers (i.e., transfer of government benefits to a retailer account to pay for products received), and the like. Credit card, debit card and electronic checking payments are the electronic transactions that will be discussed herein, although it is understood that the other previously mentioned transaction types are also within the scope of the present invention.”

[0074] “In addition, the electronic payment transactions described herein relate to credit card, debit card and electronic checking transactions. The system and method described herein can be modified to process, fund and report other types of electronic payment transactions, including transactions involving stored value cards, loyalty points redemptions, electronic benefits transfers.”

In contrast, *Strayer* relates to processing debit and credit transactions and does not disclose implementation of a system or method for handling check transactions. The Applicants’

claimed invention can handle the combination of at least check payments, debit card payments, and credit card payments. In addition, *Strayer* does not disclose handling at least one of “stored value card payments, loyalty points redemptions, or electronic benefits transfers” as in amended dependent claims 2, 8, 14, and 22. *Strayer* mentions that “in addition to purchase cards (e.g., credit cards and debit cards), other types of non-cash payment instruments (e.g., electronic checks) may be included.” See paragraph 0142. However, *Strayer* does not provide any description as to how to implement the system of *Strayer* to handle processing of the combination of check payments, debit card payments, and credit card payments. Furthermore, *Strayer* does not mention, and does not provide any description as to how to implement the system of *Strayer* to further handle processing at least one of stored value card payments, loyalty points redemptions, or electronic benefits transfers.

Certain embodiments of the Applicant’s claimed invention can obtain one or more distinct results. For example, an embodiment of the claimed invention can minimize inconveniences for merchants and their customers arising from the interaction with multiple data transaction providers. The claimed invention offers a method and system for handling or otherwise processing the combination of check payments, credit card payments, and debit card payments as well as other types of electronic payment transactions including at least one of stored value card payments, loyalty points redemptions, and electronic benefits transfers.

For at least the reasons provided above, amended independent claims 1 and 7 should be allowable over the cited references. Remaining claims 2-6 and 8-12 are ultimately dependent from either independent claims 1 or 7, for which arguments of patentability have been provided above. If the base independent claims are allowable over the cited references, the corresponding dependent claims should also be in condition for allowance.

Claim Rejections Under 35 U.S.C. § 103

Claims 13-28 are rejected under 35 U.S.C. § 103(a) as being obvious over *Strayer* in view of Kramer et al. US 2003/014007 (hereinafter “*Kramer*”). Independent claims 13 and 21 have been amended similarly to independent claims 1 and 8 as described above, for which arguments

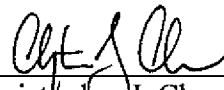
of patentability have been provided above. Therefore, for at least the reasons provided above, amended independent claims 13 and 21 should be allowable over at least *Strayer*.

Dependent claims 14-20 and 22-28 are ultimately dependent from either independent claims 13 or 21, for which arguments of patentability have been provided above. If the base independent claims are allowable over the cited references, the corresponding dependent claims should also be in condition for allowance.

CONCLUSION

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,



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